



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,346	05/24/2001	Jean-Michel Decombe	4418P002	4839

8791 7590 03/11/2004

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES, CA 90025

EXAMINER

LUU, MATTHEW

ART UNIT PAPER NUMBER

2672

DATE MAILED: 03/11/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

PM

Office Action Summary

Application No.

09/866,346

Applicant(s)

DECOMBE, JEAN-MICHEL

Examiner

LUU MATTHEW

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4-7.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nitahara (6,604,108) in view of Weinberg et al (6,237,006).

Regarding claim 1, Nitahara discloses (Figs. 1-4, 9 and 14) a method comprising: displaying hierarchical and relational information in a graph (Figs. 9 and 14); receiving user input for selecting a subject of interest; and changing the display of hierarchical and relational information in response to the selection. See column 3, lines 1-4; column 5, lines 43-62; column 8, lines 19-32; column 8, line 62 to column 9, line 13; and column 9, lines 55-62.

The only difference between the claimed invention and the disclosure of Nitahara is that the claim requires "a graph of node" form.

However, Weinberg et al (6,237,006) from the same field of endeavor disclose (Figs. 1-6) information is displayed in a graph of node form. It is obvious to a person of ordinary skill in the art to use the graph of node displaying method of Weinberg et al in the hierarchical and relational information in a graph form of Nitahara to provide a compact layout of hierarchical tree and relational information in a graphical node form

Art Unit: 2672

which greatly facilitates the visualization of the user in navigating the hierarchical tree map in a more efficient and intuitive manner.

Regarding claim 2, Weinberg et al teaches (Figs. 1-6) different nodes in a hierarchical tree graph can be selected for zooming in/out or manipulated. Furthermore, this is conventional in the art.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nitahara (6,604,108) in view of Weinberg et al (6,237,006) as applied to claims 1-2 above, and further in view of Robertson et al (5,295,243).

The only difference between the claimed invention and the disclosure of Nitahara in view of Weinberg et al is that the claim 3 requires "animation".

However, Robertson et al disclose a display system for displaying hierarchical three-dimensional structures with "animation" effects. See column 13, lines 58-60; and column 16, lines 57-63. It is obvious to the person of ordinary skill in the art to use the "animation" effects in a hierarchical display system of Robertson et al into the hierarchical and relation information display system Nitahara to provide more visualization effects for a user.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Prompt et al (US 2001/0034733 A1) disclose a system and method for providing access to databases via directories and other hierarchical structures and interfaces.

Art Unit: 2672

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (703) 305-4850. The examiner can normally be reached on 9 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAZAVI MICHAEL can be reached on (703) 305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Luu



MATTHEW LUU
PRIMARY EXAMINER